

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

IN RE	:	CHAPTER 13
	:	
KAWJALYM HARRIS,	:	CASE NO. 15-10644-AEC
	:	
Debtor.	:	_____
	:	
_____	:	
WELLS FARGO BANK, N.A., DBA	:	CONTESTED MATTER
WELLS FARGO DEALER SERVICES,	:	
	:	
Movant,	:	
	:	
v.	:	
	:	
KAWJALYM HARRIS, Debtor;	:	
DESHUNDRE HARRIS WILSON,	:	
Codebtor; and KRISTIN HURST,	:	
Trustee,	:	
	:	
Respondents.	:	

NOTICE OF MOTION

Wells Fargo Bank, N.A., dba Wells Fargo Dealer Services HAS FILED DOCUMENTS WITH THE COURT TO OBTAIN RELIEF FROM THE CODEBTOR STAY.

YOUR RIGHTS MAY BE AFFECTED. You should read these documents carefully and discuss them with your attorney, if you have one in this bankruptcy case. **If you do not have an attorney, you may wish to consult one.** If not served with this notice in accordance with the Bankruptcy Code or Federal Rules of Bankruptcy Procedure, a copy of the motion [or other type of pleading] may be obtained upon written request to counsel for the Movant (identified below) or the Clerk's office.

If you do not want the court to vacate the codebtor stay, or if you want the Court to consider your views on the Motion for Relief From the Codebtor Stay, then you or your attorney shall file with the court a written objection or response on or before 5/25/2017. If you are receiving this notice by mail, you may add three (3) days to the response date stated above. The objection or response should be sent to:

Clerk, U. S. Bankruptcy Court
Middle District of Georgia
P.O. Box 1957
Macon, Georgia 31202

If an objection or response is filed, a hearing on the motion for codebtor relief shall be held on:

June 7, 2017, at 10:00 a.m., at the United States Bankruptcy Court - C.B. King U.S. Courthouse, 2nd Floor, 201 Broad Avenue, Albany, GA 31701.

If you mail your response or objection to the court for filing, you shall send it early enough so the court will receive the objection or response on or before the response date stated above. If you are receiving this notice by mail, you may add three (3) days to the response date stated above.

Any response or objection shall also be served on the movant.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion for Relief from Codebtor Stay and may enter an order granting that relief.

This notice is sent by the undersigned pursuant to Local Rule 9004-1.

Dated this May 3, 2017.

The Law Office of
LEFKOFF, RUBIN, GLEASON & RUSSO, P.C.
Attorneys for Movant

By: /s/ Philip L. Rubin
Philip L. Rubin
Georgia State Bar No. 618525

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	:	
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MOTION FOR RELIEF FROM CODEBTOR STAY

COMES NOW Wells Fargo Bank, N.A., dba Wells Fargo Dealer Services (the "Movant") and moves this Court for relief from the codebtor stay and hereby waives the 30 day requirement of 11 U.S.C §362(e) and shows the Court as follows:

1.

On May 15, 2015, Kawjalym Harris ("Debtor") filed a Petition for Relief under 11 U.S.C. Chapter 13.

2.

Movant is the holder of a claim secured by virtue of an enforceable and perfected first priority security interest in the Debtor's vehicle, to wit: 2007 Chevrolet Suburban (the "Collateral"). The Collateral is jointly titled in the name of the nonfiling cosigner, Deshundra Harris Wilson (the "Codebtor"), who is jointly obligated to Movant on the loan secured thereby. The payoff as of April 11, 2017 was \$11,386.92 and the account was past due \$992.04. Debtor's plan fails to list the debt.

3.

Movant does not have proof of full coverage insurance.

4.

Relief from the Codebtor Stay is appropriate pursuant to 11 U.S.C. §1301.

WHEREFORE, Movant prays that this Court grant Movant relief from the codebtor stay so as to allow Movant to proceed to collect against the nonbankrupt Codebtor; and grant such other and further relief as the Court deems to be just and proper.

This May 5, 2017.

The Law Office of
LEFKOFF, RUBIN, GLEASON & RUSSO, P.C.
Attorneys for Movant

By: /s/ Philip L. Rubin
Philip L. Rubin
Georgia State Bar No. 618525

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Codebtor; and KRISTIN HURST,	:	
Trustee,	:	
	:	
Respondents.	:	

CERTIFICATE OF SERVICE

The undersigned, Philip L. Rubin, hereby certifies that I am, and at all times hereinafter mentioned, was more than 18 years of age, and that I served a copy of the NOTICE OF MOTION FOR RELIEF FROM CODEBTOR STAY and NOTICE OF HEARING electronically. Those not served electronically have been served by depositing same in the United States Mail in properly addressed envelopes with adequate postage on the following by depositing persons or entities at the addresses stated:

Kawjalym Harris
903 West 4th Avenue
Albany, GA 31701

Deshundre Harris Wilson
903 West 4th Avenue
Albany, GA 31701

Je'Nita Nakia Lane,
P.O. Box 1843
Albany, GA 31702

Kristin Hurst
Chapter 13 Trustee
Post Office Box 1907
Columbus, GA 31902

This May 3, 2017.

The Law Office of
LEFKOFF, RUBIN, GLEASON & RUSSO, P.C.
Attorneys for Movant

By: /s/ Philip L. Rubin
Philip L. Rubin
Georgia State Bar No. 618525

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